

Cohen & Paik LLP**Fax**

RECEIVED

APR 4 2008

SIN FAX CENTER

To: Jim McCabe, Esq. *29E*
Tomio Narita, Esq.
Doug Woods, Esq.

Fax: 415-268-7011
415-352-2625
916-324-8835

Date: April 4, 2008

Phone: Pages: 2 (including cover sheet)

Re: Yack v. Washington Mutual CC:

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

CONFIDENTIALITY NOTICE

This facsimile transmission cover sheet, and any documents which may accompany it, contain information from Cohen & Paik, LLP which is intended for the use of the individual or entity to which it is addressed, and which may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of the message is not the intended recipient or the employee agent responsible for delivering the message to the intended recipient, any disclosure, dissemination, distribution, copying or other use of this communication or its substance is prohibited. If you have received this communication in error, please call us at (415) 398-3900 to arrange for the destruction of the communication or its return to us.

COHEN & PAIK LLP

ATTORNEYS AT LAW

300 Montgomery Street, Suite 660
 San Francisco, CA 94104-1907
 Tel (415) 398-3900 • Fax (415) 398-7500
 copaik@pacbell.net
 www.cohenpaik.com

DEAN D. PAIK

ADMITTED IN CALIFORNIA

April 4, 2008

DAVID J. COHEN

CERTIFIED SPECIALIST - CRIMINAL, LAW
 THE STATE BAR OF CALIFORNIA
 BOARD OF LEGAL SPECIALIZATION

ADMITTED IN CALIFORNIA
 AND NEW YORK

VIA MESSENGER

The Honorable Phyllis J. Hamilton
 United States District Court Judge
 Northern District of California
 450 Golden Gate Avenue, Courtroom 3, 17th Floor
 San Francisco, CA 94102

Re: *Yack v. Washington Mutual, N.A., et al*, case no. 07-5858

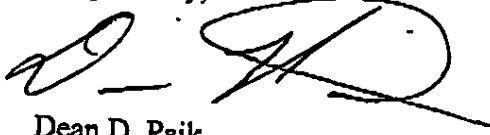
Dear Judge Hamilton,

We have recently been retained to represent the plaintiffs in the above-referenced action. I understand that the Court conducted a Show Cause hearing yesterday at 2:30 p.m. at which plaintiffs did not appear. While we did not know in advance of the hearing, and, in fact, first learned that the Court had scheduled the hearing after it had occurred, we apologize for the oversight and the resulting waste of the Court's time and resources. Confusion arose from the fact that we did not know of the Court's February 29, 2008 order to show cause.

We filed an Amended Complaint on the Yack's behalf on March 6, 2008, which extended the time for service. Nevertheless, the Summons and Amended Complaint were served on each of the defendants in this action on March 18, 2008, and Proof of Service will be filed shortly. Both filing and service have been in accordance with the federal rules. Over the last two days, we have been contacted by counsel for each of the defendants, and have agreed to provide them with extensions of time to answer or otherwise respond to the Amended Complaint.

The case is now moving forward and hopefully the Court will allow the Yacks the opportunity to have their claims heard on the merits. Again, we apologize for the inconvenience caused the Court. If the Court has any questions, we would be happy to try to address them.

Respectfully,



Dean D. Paik

cc: Counsel for Defendants (via fax)